

## Proof of Identification

# Utah Driver License Division

Effective Date: January 1, 2010

Revised Date: May 8, 2018

Reviewed Date: July 11, 2018

## POLICY

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It is the intent of the Division to issue a license certificate or identification card to anyone meeting requirements regardless of national origin, race or sex. In accordance with UCA [53-3-207](#) and [53-3-805](#), this Division will issue driver license certificates and state identification cards, which contain correct information and may be used as a reliable identification by the holder.

The type of license certificate or identification card an applicant is eligible to apply for will be determined by the applicant's legal/lawful status in the United States. Applicants who can establish that they are a U.S. citizen, a legal permanent resident alien, or a U.S. national are eligible to apply for a **learner permit**, **REGULAR** driver license, **REGULAR CDL** or **REGULAR** identification card.

Applicants who are not a U.S. citizen, legal permanent resident alien or U.S. national, but are able to establish legal presence in the U.S. are eligible to apply for a **learner permit**, **LIMITED-TERM** driver license, **LIMITED-TERM CDL** or **LIMITED-TERM** identification card.

**NOTE:** Refugee/approved asylee applicants who provide acceptable proof that they entered the United States as a refugee or approved asylee (any document even if it is expired issued by DHS showing refugee or approved asylee status) and have subsequently become a legal permanent resident who are applying for a Utah driving certificate for the first time are eligible to apply for a five (5) year limited-term driver license. If the knowledge test is required, the applicant can use an interpreter as outlined in UCA [53-3-206\(2\)](#) and Administrative Rule [R708-41](#) and [R708-46](#). Also, a refugee or approved asylee is eligible to utilize an interpreter or kiosk (if required) in their native language for their first renewal. The LPR card and the proof of refugee or approved asylee status document should be scanned under Limited-Term>Refugee/Asylee LPR dropdown box. This will satisfy the identity and legal/lawful presence requirements for the limited-term driver license.

Applicants who are not able to establish legal presence in the U.S. are eligible to apply for a **learner permit** or a **DRIVING PRIVILEGE CARD** only, and are **not** eligible to obtain a CDL or an identification card.

Section [53-3-205](#) and [53-3-804](#) requires the applicant for a **learner permit**, **REGULAR** driver license or identification card, or a **LIMITED-TERM** driver license or identification card to provide their social security number or, in the event the applicant doesn't qualify for a social security number, proof of their ineligibility to obtain a social security number, based on their legal/lawful presence status. An applicant for a **REGULAR CDL** or **LIMITED-TERM CDL** must have a social security number in order to obtain the CDL privilege.

An applicant for a **DRIVING PRIVILEGE CARD or learner permit** must provide either their social security number, or if they are ineligible to obtain a social security number, an Individual Tax Identification number (ITIN.) As a fraud deterrent measure, the Division prefers to see the actual social security card for original driver license and identification card applications.

## PROCEDURE

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### APPLICANT

#### Legal/lawful presence identity

- Applicable to the first application after January 1, 2010.
- For a **learner permit, REGULAR** driver license, CDL or ID card, or a **LIMITED-TERM** driver license, CDL or ID card, provide one document that establishes their legal/lawful presence status, and one document that establishes their identity (including gender) as outlined in the [DLD335](#). In many cases, one document will establish both proof of legal/lawful presence and identity such as a U.S. birth certificate.
  - **NOTE:** Court ordered delayed birth certification. If an applicant presents a court ordered delayed birth certification for proof of identity and U.S. citizenship, please review the place of birth for the applicant and both parents. If the applicant's and both parents' birth places are listed as a foreign country or if the applicant was born in a foreign country and the adoption occurred when the applicant was 18 years of age or older, the applicant will need to provide acceptable proof of their legal status in the United States. The Utah court ordered delayed birth certification is acceptable for proof of identity.
- For a **DRIVING PRIVILEGE CARD** including a learner permit, provide two documents that establish their identity (including gender) as outlined in the attached acceptable documentation chart, one of which must be a foreign birth certificate or a foreign passport, accompanied by a certified translation if it is not in English.

#### Social security/ITIN

- For a **learner permit, REGULAR** driver license, **CDL** or ID card, or a **LIMITED-TERM** driver license, **CDL** or ID card, provide one document that contains their social security number as outlined on the [DLD335](#).
- If they are ineligible to obtain a social security number, for a **learner permit, REGULAR** driver license or ID card or a **LIMITED-TERM** driver license or ID card, provide proof that they are ineligible to obtain a social security number, based on their legal/lawful presence status.
- If they are unable to establish legal/lawful presence and they are ineligible to obtain a social security number, for a **DRIVING PRIVILEGE CARD or learner permit**, provide proof of their ITIN number (only accepted for a "DPC" applicant.)

### EXAMINER

- Uses reasonable and prudent means, including skills and procedures acquired through fraudulent document training, to determine that the applicant is providing true and correct information and documentation. When possible, uses information on existing DL files to assist in verification of identity.
- Lists accepted documents on the application when satisfied that the applicant has provided correct information.
- Scans all identity, legal/lawful presence status, social security address change and name change documents accepted through the application process into the DLD system, and returns original documents to applicant.
- When in doubt, requires more documentation/information from the applicant until employee can make a comfortable decision.
  - **NOTE:** Except as otherwise required, social security or ITIN number must appear on all applications for Utah licenses and/or ID cards.

## APPLICANT

- **Applicable to applicants who have completed an application process after January 1, 2010 and who are renewing or applying for a duplicate certificate.** These guidelines also apply if an applicant has met the document requirements for a driver license application on or after January 1, 2010, and is subsequently applying for an identification card, or if an applicant has met the document requirements for an ID card application on or after January 1, 2010, and is subsequently applying for a driver license as long as they are not changing categories (i.e. limited-term to regular, DPC to limited-term, etc.)
- All applicants need to provide approved documents any time they have changed their name, address, or gender.
- Regular driver license, CDL or ID card applicants do not need to provide documents for a renewal or duplicate application if their previous application was made on or after January 1, 2010 and their documents have been scanned into the DL system.
- Limited-term driver license, CDL or ID card applicants do not need to provide proof of identity if their previous application was made on or after January 1, 2010 and their document(s) have been scanned into the DL system. However, they do need to provide proof of their legal/lawful presence for every application. This proof should be verified through SAVE and scanned into the DL system.
- Driving Privilege card applicants do not need to provide proof of identity for a renewal or duplicate application if their previous application was made on or after January 1, 2010 and their documents have been scanned into the DL system. However, they do need to provide proof of their social security number or ITIN for every DPC application.

## EXAMINER

Examiners have discretion to require documentation if there is any question on the applicant's identity, legal/lawful presence, SSN or ITIN, or Utah residency.